



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Harry A. DUGGER III

Application No.: 09/537,118

Group Art Unit: 1619

Filed: March 29, 2000

Examiner: M. Haghighatian

For: BUCCAL, POLAR AND NON-POLAR  
SPRAY OR CAPSULE

Attorney Docket No.: 11122-009

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated November 1, 2002 in which the application was examined for restriction purposes only.

Applicant respectfully requests entry of the following remarks and provisional election.

**REMARKS**

The Examiner required restriction between Group I, claims 26-38, 53-61, and 79, drawn to a propellant free composition, classified in class 424, subclass 434 and Group II, claims 39-52, 62-78, and 79, drawn to a composition containing a propellant, classified in class 128, subclass 200.14. Applicant respectfully elects the claims of Group I.

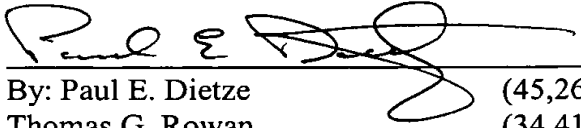
Accordingly, please cancel claims 39-52 and 62-78 without prejudice. Applicant reserves the right to file one or more divisional or continuation applications directed to the subject matter of the canceled claims or other unclaimed subject matter.

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No fee is believed to be due for the submission of this response. Should any fees be required, please charge such fees to Pennie & Edmonds deposit account no. 16-1150.

Respectfully submitted,

Date: December 20, 2002

  
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